

10-20-2008

Affidavit of Michel Latouche sworn 20 October 2008 in response to Written Examination

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Court File No. T-727-08

FEDERAL COURT

BETWEEN:

ABOUSFIAN ABDELRAZIK

Applicant

and

Respondent

MINISTER OF FOREIGN AFFAIRS AND INTERNATIONAL TRADE

AND

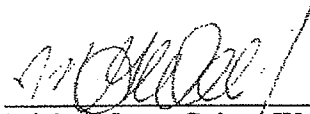
THE ATTORNEY GENERAL OF CANADA

ANSWERS TO WRITTEN EXAMINATION

AFFIDAVIT OF MICHEL LATOUCHE

I, Michel Latouche of the City of Winnipeg, Province of Manitoba SWEAR
THAT the answers set out in Exhibit A to this affidavit to the questions dated 29
September 2008 submitted by the Counsel for the Applicant are true, to the best of my
information, knowledge and belief:

Sworn before me at the City of Winnipeg in the Province of Manitoba on 20
October 2008.



Michele Lynn Geiger-Wolf
Barrister, Solicitor and Notary Public
In and For the Province of Manitoba



Michel Latouche

EXHIBIT A

1. Department of National Defence/Canadian Forces does charter commercial aircraft on occasion. I cannot speak to the practices of other government departments.
2. The Canadian Forces CC150 and CC177 are not the only aircraft that could fly non-stop between Sudan and Canada. Some commercial and military (non-Canadian Forces) aircraft are capable of flying from Sudan to Canada non-stop. As my expertise is confined to Canadian Forces aircraft, I cannot comment on which aircraft may have this capability.
3. The CC-177 aircraft in a normal configuration can carry 102 passengers, but can be configured to carry up to 134. The CC-150 can carry between 102 to 194, depending upon the configuration, with the normal number being 140.
4. In November 2004, a CC150 carried the Prime Minister on his visit to Sudan.
5. To the best of my knowledge, no other Canadian Forces aircraft have been to Sudan since July 2004.
6. The Canadian Forces have obtained diplomatic clearances to transit the airspaces of France, Egypt and the four or five other countries mentioned in paragraph five of my Affidavit. I cannot speak to whether other government departments have or have not done so.
7. Presuming that this question refers to the clearances mentioned in Question 6, the most recent period during which such clearances were obtained was the first week of October, 2008. All clearances obtained pertain to the weekly air bridge flights.
8. The process for obtaining diplomatic clearances from foreign governments does not require the disclosure of passenger manifests.
9. I am not in a position to comment on the process for seeking diplomatic clearances for civil or commercial aircraft, as I am only familiar with the process required of Department of National Defence/Canadian Forces aircraft.
10. Sudan is surrounded by Saudi Arabia, Egypt, Libya, Chad, Central African Republic, Congo, Uganda, Kenya, Ethiopia, Djibouti, Yemen and Eritrea. There is no flight route possible between Sudan and Canada which overflies only countries with which Canada has standing diplomatic transit clearance.
11. Assuming that Sudan grants the necessary diplomatic clearance, it would be possible for a Canadian Forces flight between Canada and Camp Mirage to deviate to Khartoum. It would be a deviation of approximately 1188 nautical miles.
12. There have been 80 CC150 and 26 CC177 flights to Camp Mirage so far in 2008.